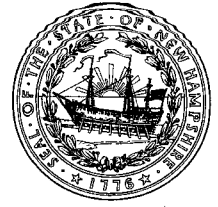




The State of New Hampshire  
*Department of Environmental Services*



Michael P. Nolin  
Commissioner

**LETTER OF DEFICIENCY  
WET 06-097**

August 30, 2006

Michael Domenichello  
95 Wethersfield Drive  
Northfield, NH03276

RE: 95 Wethersfield Drive, Northfield  
File # 2006-1115

Dear Mr. Domenichello;

On August 9, 2006, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Northfield Tax Map R15 as Lot 47-12 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Env-wt 100-800.

During the inspection the following deficiencies were documented:

1. Rutting of an intermittent stream channel by a small motor vehicle ("ATV") in two locations, resulting in a total impact of approximately 15' of stream channel and approximately 500 sq ft of wetlands.
2. Installation of a 6' x 7' bridge in a wetland to cross a stream without a permit.
3. Erosion of a steep exposed slope along 60' of a wetland edge, causing at least 600 sq ft of sedimentation.

In response, you are requested to take the following actions:

1. **Immediately** discontinue ATV use through the streams and wetlands on the property.
2. **Within 7 days of receiving this LOD**, complete the following:
  - a. Install erosion controls to prevent further sedimentation of wetlands on the Property. Silt fencing should be installed below the base of the exposed eroding slope and across the top of the slope, just beneath the mulch piles, in accordance with the attached fact sheet.
  - b. Submit photographs to DES documenting the completion of a. (Photos should be mounted on 8.5" x 11" white paper).
  - c. Retain a NH certified wetland scientist ("CWS") to design, supervise, and monitor a wetland restoration plan and erosion and sedimentation control plan. Have the CWS immediately contact Stacey Herbold, Wetlands Compliance

Specialist, at (603) 271-4062.

3. **Within 30 days of receiving this LOD**, submit a restoration plan and an erosion and sedimentation control plan to DES for review and approval. The plan should address the restoration of all wetlands impacted by ATV use and sedimentation from the eroding slope, as well as the temporary and permanent erosion controls to be installed and stabilization methods implemented to prevent further impacts to jurisdictional areas on the Property. The following should be included with the plan:
  - a. A plan with dimensions, drawn to scale, showing:
    - i. Existing conditions, with wetland boundaries as delineated by a certified wetland scientist; and
    - ii. Proposed conditions after reestablishing the jurisdictional areas.  
*(Please note that a plan titled "Subdivision Plan (D.E.S.)", dated July 23, 1997 created by Burd Engineering includes a survey by Ronald R. Burd, LLS and a wetland delineation, completed by Peter Schauer, CWS, for the "Property". DES will accept this plan as a base plan for restoration. Current wetland impact areas will need to be flagged in the field and added to the plan along with locations of erosion controls and stabilization methods.)*(Plan enclosed.)
  - b. A detailed description of the proposed means of erosion control (silt fence, hay bales, etc) and stabilization of the restoration area;
  - c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area and control of invasive species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*);
  - d. A description of the proposed construction sequence and methods for accomplishing restoration and anticipated restoration compliance date.
  - e. A description of the method of documenting at least 75% survival of all vegetation planted during the restoration project. This should include at a minimum monitoring progress reports prepared by the CWS for two successive growing seasons following completion of the restoration project.
4. Implement the restoration plan only after receiving written approval and as conditioned by DES.

Please note that in order to install wetland crossings for recreational use, a Trails Notification must be submitted to DES and crossings must be in accordance with, "Best Management Practices for Erosion Control During Trail Maintenance and Construction", by the state of NH Bureau of Trails.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as

noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Stacey Herbold, Compliance Specialist  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Stacey Herbold at (603) 271-4062.

Sincerely,



Collis G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL 7099 3400 0003 0688 7329

cc: Rene Pelletier, Manager, Land Resources Management Program  
Gretchen R. Hamel, Administrator, DES Legal Unit  
Northfield Conservation Commission  
Northfield Board of Selectmen  
USACOE